

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JAMES JOHN TISDALE IV,	:	
Plaintiff	:	
	:	No. 1:19-cv-1022
v.	:	
	:	(Judge Rambo)
DR. EDWARD ZALOGA, et al.,	:	
Defendants	:	

ORDER

AND NOW, on this 18th day of November 2020, for the reasons set forth in the Memorandum accompanying this Order, **IT IS ORDERED THAT:**

1. Defendants' motion for summary judgment (Doc. No. 58) is **GRANTED IN PART** and **CONDITIONALLY DENIED IN PART**, as follows:
 - a. The motion (Doc. No. 58) is **GRANTED** with respect to Plaintiff's Eighth Amendment claim alleging that Defendants were deliberately indifferent to his medical needs by failing to refer him to a neurologist, and the Clerk of Court is directed to defer the entry of judgment in favor of Defendants on this claim until the conclusion of the above-captioned proceedings;
 - b. The motion (Doc. No. 58) is **CONDITIONALLY DENIED WITHOUT PREJUDICE** with respect to Plaintiff's Eighth Amendment claim concerning Defendants' failure to monitor his Dilantin levels; and

2. Defendants are directed to file, within thirty (30) days of the date of this Order, a properly supported brief regarding Plaintiff's claim concerning monitoring of his Dilantin levels. Should Defendants fail to do so, their motion for summary judgment will be deemed denied as to Plaintiff's Eighth Amendment claim concerning monitoring of his Dilantin levels, and the above-captioned case will proceed on that claim.

s/ Sylvia H. Rambo
United States District Judge